

# STUDENTS' COUNCIL LATE ADDITIONS

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Tuesday November 29, 2005  
Council Chambers 2-1 University Hall

- 2005-16/2            SPEAKER'S BUSINESS
- 2005-16/2a (iii)    Resignation of Councillor Heather Wallace  
Please see document LA 05-16.01
- 2005-16/2a (iv)    Attendance
- 2005-16/2a (v)    Resignation of Shad Thevenaz from the Bylaw Committee  
Please see document LA 05-16.02
- 2005-16/2a (vi)    Resignation of Mr. Congly from DIE Board.  
Please see document LA 05-16.03
- 2005-16/5            NOMINATIONS/APPOINTMENTS
- 2005-16/5d          **LEWIS MOVED THAT** Students' Council appoint a member to the  
Bylaw Committee.
- 2005-16/6            REPORTS
- 2005-16/6c          Graham Lettner, President  
Please see document LA 05-16.04
- 2005-16/6d          Mathieu Johnson, Vice President (Academic)  
Please see document LA 05-16.05
- 2005-16/7            BOARD AND COMMITTEE REPORTS
- 2005-16/7a          Discipline, Interpretation and Enforcement Board – November 23, 2005  
Decision 8: Kyle Kawanami and Stephen Kirkham vs. Speaker of  
Students' Council.  
Please see document LA 05-16.06
- 2005-16/7e          Bylaw Committee – November 8, 2005

Please see document LA 05-16.07

2005-16/7e (xxv)

The Bylaw Committee recommends that Bill #16 Direct Democracy be read a second time.

\* To replace Bill #16 from main order paper \*

**Bill #16 Direct Democracy (sponsor; TOBIAS)**

Principle (from first reading)

1. Where a referendum or plebiscite question would cause Students' Council to be in breach of its fiduciary responsibility to the Students' Union, such a question may be ruled out of order.
2. The principles of this bill will apply retroactively to all referenda or plebiscite proposed for the 2006 general election.

2005-16/7g

External Policy Committee – November 22, 2005

Please see document LA 05-16.08

2005-16/\*7g (i)

**KAWANAMI/CROSSMAN MOVED THAT** Students' Council, upon the recommendation of the External Policy Committee, rescind the current political policy, "Tuition Levels and Regulation", and replace it with the new political policy, "Tuition Levels and Regulation."

Please see document LA 05-16.09 (Current and Proposed)

2005-16/7h

Audit Committee – November 24, 2005

Please see document LA 05-16.10

2005-16/7i

Access Fund Committee - November 2, 2005

Please see document LA 05-16.11

2005-16/9

**GENERAL ORDERS**

2005-16/9d

**LE ORDERED THAT** the Vice-President Student Life Investigate the possibility of the Students' Union adding microwaves to CAB's lower level food court, and report back to council with a recommendation on how to proceed, no later than January 10, 2006.

2005-16/10

**INFORMATION ITEMS**

2005-16/10f

Excerpts from the Post-Secondary Learning Act (Chapter P-19.5, Sections 18, 95, 93 and 37)

Please see document LA 05-16.12

2005-16/10g

Letter from Dima Utgoff, Director, Residence Services and Chair, Alcohol Policy Review Committee

Please see document LA 05-16.13

2005-16/10h

General Information on Charitable Gaming Licenses (Pages 1 and 10-14)

**2005-16/10i**

Please see document LA 05-16.14

Gaming and Provincial Lotteries

Please see document LA 05-16.15

Dear Mr. Speaker,

It is with deep regret that I must resign my seat on Students' Council effective immediately.

I would like to thank you and all the members of council for giving me one of the best experiences I have ever had. My volunteer work with the SU has been an integral part of my University experience and I was honoured to be a member.

Thank you,  
Heather Wallace

Dear Mr. Speaker and the members of Student Council

Do to events next semester I will no longer be able to perform my duties as a member of By-Law committee and therefore I must resign immediately. I ask that council accepts my resignation from this position and that council chooses a member to replace me.

I thank Council for its time  
Shad Thevenaz

To Whom It May Concern:

I resign from the Discipline, Interpretation and Enforcement Board of the University of Alberta Students' Union effective immediately.

I am grateful for the opportunity to have served the Students' Union for the past two years.

Best wishes,  
Stephen Congly

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## President's Report

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Meeting date: Tuesday, November 29, 2005

### EXECUTIVE SUMMARY:

Just past the halfway mark, a number of our ongoing projects are coming to a close. The Executive Committee will also be on a retreat this Friday to decide on our priorities for the remainder of the year. Many councilors also deserve commendation for their continued work as the semester draws to a close.

### SPECIFICS:

- Tuition

Our efforts to secure students a tuition decrease are on two prongs: first, our “Roll it back, Ralph!” campaign, and second, direct lobbying to have long term funding replace the recent tuition rebate(s). We are working with the University to ensure we are not working cross-purposes. Our message will continue to have affordability for students as the front and centre focus.

- U-Pass

In conjunction with the City and the University, the Students' Union will be making a pitch to the provincial government on 6 December. The crafting of this proposal will take shape over the next week.

- VP (External Affairs) Advisory Committee

The advisory committee concluded its interview this past Thursday. The Provost has indicated that by early next week the successful candidate will be chosen.

- Alumni Student Life Committee

On 18 November the committee met to discuss student-alumni initiatives. We are in the midst of constructing a calendar of campus history that would be given to students. It is along the lines of “101 things to do and see before you leave campus.”

- 2<sup>nd</sup> Annual Engineering Head Shave

Not strictly a new hairstyle, I was involved in the latest ESS fundraiser for the Alberta Cancer Foundation. Congratulations to ESS for doing a great job of organizing, and a thank you to everyone who donated to those fundraising for the event.

**Mathieu Johnson VP(Academic)**  
**Report to Students' Council**  
**November 29, 2005**

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After my extensive report last meeting I find myself simply working on ongoing projects including a the Cohort initiative taskforce, the writing skills taskforce, the Teaching learning and technology sub committee, our second submission to the academic planning process, consultation with FAs on possible FA membership fees, and school work.

Nothing of serious consequence to report.



## ***Discipline, Interpretation and Enforcement (DIE) Board***

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### ***Ruling of the Board***

Style of Cause: *Kyle Kawanami and Stephen Kirkham v. Speaker of Students' Council*

Ruling # 8

Date heard: Wednesday, November 23, 2005

Appearing for the D.I.E. Board:

Presiding Chair: Jaimie Gruman

Tribunes: Justyna Herman, Chris Stolfa

Intervenors present:

Case summary:

At the commencement of the hearing the Board's jurisdiction to hear the complaint was challenged on the ground that in *Jones v. Student Council* (D.I.E. Decision #7) the D.I.E. Board had previously rendered a decision in this regard and in so doing had effectively taken sole jurisdiction over the matter. Thus if this proposition was accepted, the current Board had no residual jurisdiction to hear the matter. The D.I.E. Board after submissions from the parties and private deliberation on point concluded that it lacked jurisdiction to proceed, as the portion of the November 1, 2005 Student Council (SC) Meeting regarding the petition questions and any consequences arising therefrom are vested in the aforementioned Board and its decision. However, given the unfortunate nature in which these two matters came before D.I.E. Board (the Kirkham/Kawanami complaint was submitted prior in time to the Jones complain but scheduled later in time being one instance thereof) the D.I.E. Board agreed to approach the portions of the complaint which were amenable to reference analysis on this basis with the consent of the parties.

In terms of a reference analysis, the only question that was appropriate to consider was question 1(c) as questions 1(a) and (b) dealt with the very facts at issue in D.I.E. Decision # 7 and for the above reasons could not be deliberated on by this panel. Question 1(c) dealt with the source of the authority of the Speaker to interpret bylaws in the course of Students' Council (SC) meetings, the restrictions if any placed on this authority, and a list of the necessary findings of fact to constitute an abuse of process. The Board finds that: the source of the Speaker's authority to interpret statutes is derived from and incidental to the execution of the Speaker's duty to chair SC meetings. The limitations or restrictions as to the scope of this authority will depend on the nature of the office or position held. The many mechanisms provided to appeal either the interpretation of the Speaker or the authority to make such an interpretation also provide a restriction on the scope of this authority. Finally, in regards to abuse of process and the necessary findings of fact, the Board declines to speculate on this point, as the evolution of this concept is best determined in the instance of actual facts and should not be defined in absence of this context.

## QUESTIONS

1. Did the Speaker act outside his authority in ruling the petition questions out of order?
  - (a) Does the Speaker have the authority to find implied terms in Students' Union legislation?
  - (b) Does the Speaker have the authority to throw out petitions submitted by a member of the Students' Union based on a perceived "abuse of process"?
  - (c) If so, from where is that authority derived, what restrictions are placed on it, and what findings of fact are required to show an "abuse of process"?

## RELEVANT LEGAL PROVISIONS

Bylaw 100

Section 16(a). The Speaker is responsible for chairing meetings of Council.

Section 18. The Speaker will report to Council and may be dismissed by a simple majority vote of Council which must be entered on the Order Paper with due notice.

Section 26. *Roberts Rules of Order (Roberts Rules)* will be observed at all meetings of Council, as well as any special rules/additional standing orders adopted by Council.

Bylaw 1500

Section 2. The Board (D.I.E. Board) is the organ of the Students' Union responsible for the interpretation and enforcement of Students' Union legislation.

## ANALYSIS

1. Source of the Speaker's authority to interpret legislation.

The source of the Speaker's authority is derived from and ancillary to the responsibility and duties of the Speaker's office. Bylaw 100 section 16(a) dictates that one of the Speaker's duties is to chair meetings of Council and that at all meetings *Roberts Rules* be observed (as per section 26). *Roberts Rules* sets out many responsibilities of a chair,

which include making rulings on Points of Order and on Parliamentary Inquiries. In order that SC meetings do not come to a stand still, the chair must be allowed some interpretive authority as he or she often is required to make between 15 to 20 rulings per meeting. The real issue seems to be whether in exercising this authority to interpret legislation as required in ruling on a Point of Order the Speaker may approach the matter in a purposive manner or whether he or she is bound to a strict interpretive approach. The Board finds that in the absence of legislation providing otherwise, the exact interpretive approach taken is best left to the discretion of the Speaker, providing of course that the approach adopted is reasonable. Students' Council could have legislated that a strict interpretive approach be taken to statutory interpretation but it has chosen not to do so.

## 2. Restrictions if any placed on a Speaker's ability to interpret legislation.

The first restriction on this authority is extreme and one that is inherent in any position or office, that being, the right to be removed. In the case of the Speaker, such a provision is found in Bylaw 100 s. 18, which allows the Speaker to be removed by a simple majority vote of SC. Such a remedy would of course only be appropriate where a majority of SC found that the interpretations or other actions of the Speaker are unwarranted to the point where such an extreme response is required.

The other restriction over this interpretive authority is the relative weight of such an interpretation and the reviewable nature not only of the interpretation but also of the authority to make the decision. The Speaker as chair is there to facilitate SC meetings. In this regard he or she may, from time to time, be required to make interpretations of SU Bylaws. These interpretations are valid so long as they remain unchallenged. It is noteworthy that the Speaker does not have any authority or power to bind D.I.E. Board to any interpretation it has made, because under section 2 of Bylaw 1500, the Board is "the organ of the Students' Union responsible for the interpretation and enforcement of Students' Union legislation." D.I.E. Board decisions and interpretations are final subject only to any of them being expressly overruled by SC or possibly subsequent D.I.E. Board

decisions. In general, an officer may have the authority to make Bylaw interpretations if this authority is ancillary or necessary to carry out other expressed duties of an officer's office and the interpretation will remain valid so long as the decision or interpretation remains unchallenged (until it is brought before the Board).

3. Findings of fact necessary to conclude abuse of process.

The D.I.E. Board declines to indicate the specific findings of fact necessary to constitute an abuse of process as the evolution of this concept and its associated meaning is best left to cases where a factual analysis is required. That being said, an abuse of process will usually involve egregious conduct or an absence of good faith.

### **DISPOSITION AND REMEDY IMPOSED**

1. Question: Does the Speaker have authority to interpret legislation when the nature of its office requires it to make such interpretations?

Answer: Yes

2. Question: What are the restrictions if any placed on this authority?

Answer: The restrictions include the ability to remove an officer as provided for in the case of the Speaker is s. 18 of Bylaw 100. The other most notable restriction on this authority is the supremacy of the D.I.E. Board to interpret Student Union legislation.

3. Question: What necessary findings of fact constitute an abuse of process?

Answer: The Board declines to list instances of facts, which would or could lead to an abuse of process as the evolution of this concept is best left to cases where an actual allegation of abuse of process has occurred.

The Discipline, Interpretation And Enforcement (D.I.E.) Board functions as the judiciary branch of the Student's Union, and is responsible for interpreting and enforcing all Student's Union legislation. If anyone has any questions regarding the D.I.E. Board, feel free to contact the Chair, Alex Ragan, at [ea@su.ualberta.ca](mailto:ea@su.ualberta.ca) .

# MINUTES

2005-11

## Bylaw Committee

Tuesday, November 8, 2005

CALL TO ORDER: Meeting called to order at 7:43 p.m..

ATTENDANCE: Kirkham, Chapman, Thevenaz, Lewis, Kelly (guest), Woynorowski (guest), Kehoe (guest)

ITEMS OF BUSINESS: (a) Petition Questions:  
i. Jones's Petition Questions:  
The Chair ruled Jones's questions out of order. Kirkham challenged the Chair.

The Committee upheld the ruling of the Chair.

(2-2(Kirkham)-0)

ii. Beer Price Petition:

**Original wording:**

a. The price of all pints of draught beer be \$2.00 in all Student Union bars.

b. Student Union bars sell draught beer in pint volumes .

c. Student Union bars may sell other volumes of draught beer at any price.

d. Student Union bars continue to carry their existing selection of draught beers.

e. If successful, this would be effective May 1, 2006 through April 30, 2007

**Bylaw Committee drafts the following:**

Do you support that Students' Union bars charge \$2.00 for all pints of draught beer, effective May 1, 2006 through April 30, 2007, subject to the following conditions?

1. Students' Union bars will sell draught beer in pint volumes whenever alcohol is being served.

2. Students' Union bars may sell other volumes of draught beer at any price.

3. Students' Union bars will continue to carry their existing selection of draught beers.

Kirkham/Thevenaz

(4-0-0)

(c) Legislation:

i. Bill #15 Second Reading:

Kirkham introduced his draft for second reading of Bill #15. Kirkham/Thevenaz moved that second reading of Bill #15 be recommended to Council.

(4-0-0)

ii. Bill #16 Second Reading:

Kirkham/Thevenaz moved that second reading of Bill #16 be recommended to Council.

(4-0-0)

(b) Political Policy:

The Committee discussed which portions of the Non-Academic Fee Principles political policy belong in Bylaw, and drafted the following bill:

Bill #X

1. Plebiscites or referenda pertaining to non-academic fees levied on SU members by the University must reflect a control corresponding to the financial contribution.
2. A permanent advisory committee will be created to oversee and direct all aspects of the use of the non-academic fee.
3. The composition of this advisory committee will reflect the financial contribution by students union members in the form of a proportional number of voting seats.
4. Any facility or service funded by the non-academic fee must provide universal access to any SU member contributing to that fee.

Kirkham/Thevenaz moved that Bylaw Committee recommended the bill to Students' Council.

(4-0-0)

ADJOURNMENT:

Thevenaz/Chapman moved to adjourn.

(4-0-0)

Meeting adjourned at 9:16 p.m..

# MINUTES

2005-08

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## External Policy Committee

Tuesday, November 22, 2005

CALL TO ORDER: Meeting called to order at 5:26 p.m..

ATTENDANCE: Kawanami, Crossman, Power, Lewis, Berghoff

ITEMS OF BUSINESS: (a) Report Of The Vice-President (External):  
The Committee received a report from the VPX. Topics covered included the U-Pass, Roll It Back Ralph Campaign, and a Parkland conference attended by the VPX.  
(c) Review Of Existing Policies:  
i. Tuition Levels And Regulation Political Policy:  
The VPX presented her draft of the new policy, which was ammended and passed as follows:

WHEREAS the Government of Alberta has shown an increased awareness of the importance of post-secondary education in our province; and

WHEREAS the Government of Alberta has the duty to fund the cost of a post-secondary education system that has the capacity for all eligible individuals to participate given the increased importance of an educated populace and the growing demands of an emerging knowledge economy; and

WHEREAS the current tuition levels and costs of obtaining a post-secondary education do not reflect the values of a public post-secondary education system; and

WHEREAS it is essential that Government of Alberta craft a policy recognizing the need to alleviate the financial burdens borne by Alberta's students and families in accessing the post-secondary education system.

BE IT RESOLVED THAT The Students' Union, the University of Alberta advocate for a tuition policy that:

- a) provides long-term, sustained base operating funding for our universities that will be protected from negative changes in our government's financial situation;
- b) protects tuition from increasing due to fluctuations in funding grants to the university from the government;
- c) ensures tuition levels are predictable;
- d) has as its primary indicator of affordability and accessibility the ability of individual students to pay without having to resort to financing options;
- e) provides for the fact that tuition is only one of the costs when pursuing a post-secondary education;
- f) ensures that no student will ever be denied the opportunity to pursue a post-secondary education because of their inability to pay.

BE IT FURTHER RESOLVED THAT The Students' Union, the University of Alberta lobby the Government of Alberta to legislate a policy on tuition fees that:

- a) provides strict guidance to an institution's ability to set tuition, including annual and ultimate limits on the maximum amount of tuition fees that can be levied on students; and
- b) requires post-secondary institutions to provide to the Board of Governors of the institution, the Auditor General of Alberta and the Minister of Advanced Education a detailed and verifiably transparent public plan on how additional tuition revenues will be spent.

Kawanami/Crossman moved that the External Policy Committee recommend that Students' Council rescind the current political policy "Tuition Levels and Regulation" and replace it with this policy.

(4-0-0)

(b) New Policies

i. Income Contingent Loan Repayment Policy:

Discussion of this item was postponed until January.

(d) Discussion:

i. Loan Policy:

Discussion of this item was postponed until January.

(e) Other Business:

No other business was discussed.

ADJOURNMENT:

Kawanami/Crossman moved to adjourn.

(4-0-0)

Meeting adjourned.



# ***THE STUDENTS' UNION OF THE UNIVERSITY OF ALBERTA***

## **POLITICAL POLICY STATEMENT**

*Policy Number:*

*Effective Date:* **April 6, 2004**

*Page* **1** *of* **2**

*Expiration Date:* **April 30, 2007**

*Responsibility for Policy:*

**Academic Affairs Board/External Affairs Board**

*Subject Matter*

- *Category:* **POLITICAL POLICY (GENERAL)**

- *Specific:* ***Tuition Levels and Regulation***

- *Topic:*

WHEREAS Albertans ought not to have their access to post-secondary education restricted for financial reasons;

WHEREAS the benefits of an educated population and of an accessible system of education are reaped largely by society as a whole;

WHEREAS the state of Alberta's economy and public finances is among the best in Canada;

WHEREAS the present level of investment by the provincial government in post-secondary education is among the lowest in Canada;

WHEREAS tuition in Alberta has been climbing at rates well in excess of inflation for more than a decade and is now among the highest in Canada;

WHEREAS government controls on tuition levels have been steadily eroded during this time;

WHEREAS no system of student finance can eliminate all financial barriers to Post-Secondary Education;

WHEREAS the fact that all Canadian jurisdictions require from University undergraduate students an upfront payment of a portion of the cost of their education puts Canada in a minority of industrialized countries;

WHEREAS the current upfront payment tuition model poses a financial barrier to accessibility;

BE IT THEREFORE RESOLVED THAT the Students' Union, University of Alberta, consider the present levels of tuition to be unacceptably high and support decreases in these levels;

BE IT FURTHER RESOLVED THAT the Students' Union, University of Alberta, support an immediate freeze on existing tuition levels as a necessary first step in an equitable and fair system of financing for undergraduate education;

BE IT FURTHER RESOLVED THAT the Students' Union, University of Alberta, support firm, provincially legislated controls on tuition to reflect society's interest in accessible education;

### **Policy History:**

	<b>Reference/Vote</b>	<b>Board/Committee</b>	<b>Date of Council Approval</b>
Created	2003-25/10g	Students Council	April 6, 2004

BE IT FURTHER RESOLVED THAT the Students' Union, University of Alberta, support an increase in base government funding to Alberta's Universities, such that the present quality of undergraduate education can be preserved and enhanced in the absence of tuition increases;

BE IT FURTHER RESOLVED THAT the Students' Union, University of Alberta, support a meaningful exploration of alternatives to the requirements that undergraduate students pay a portion of the costs of their education in advance of the completion of their studies;

BE IT FURTHER RESOLVED THAT the Students' Union, University of Alberta support of a meaningful exploration of alternatives to the current upfront payment tuition model.

**Policy History:**

	<b>Reference/Vote</b>	<b>Board/Committee</b>	<b>Date of Council Approval</b>
Created	2003-25/10g	Students Council	April 6, 2004

## **Proposed: Tuition Levels and Regulation**

WHEREAS the Government of Alberta has shown an increased awareness of the importance of post-secondary education in our province; and

WHEREAS the Government of Alberta has the duty to fund the cost of a post-secondary education system that has the capacity for all eligible individuals to participate given the increased importance of an educated populace and the growing demands of an emerging knowledge economy; and

WHEREAS the current tuition levels and costs of obtaining a post-secondary education do not reflect the values of a public post-secondary education system; and

WHEREAS it is essential that Government of Alberta craft a policy recognizing the need to alleviate the financial burdens borne by Alberta's students and families in accessing the post-secondary education system.

BE IT RESOLVED THAT The Students' Union, the University of Alberta advocate for a tuition policy that:

- a) provides long-term, sustained base operating funding for our universities that will be protected from negative changes in our government's financial situation;
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- c) ensures tuition levels are predictable;
- d) has as its primary indicator of affordability and accessibility the ability of individual students to pay without having to resort to financing options;
- e) provides for the fact that tuition is only one of the costs when pursuing a post-secondary education;
- f) ensures that no student will ever be denied the opportunity to pursue a post-secondary education because of their inability to pay.

BE IT FURTHER RESOLVED THAT The Students' Union, the University of Alberta lobby the Government of Alberta to legislate a policy on tuition fees that:

- a) provides strict guidance to an institution's ability to set tuition, including a annual and ultimate limits on the maximum amount of tuition fees that can be levied on students; and
- b) requires post-secondary institutions to provide to the Board of Governors of the institution, the Auditor General of Alberta and the Minister of Advanced Education a detailed and verifiably transparent public plan on how additional tuition revenues will be spent.

# MINUTES

2005-06

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## Audit Committee

Thursday November 24, 2005

ATTENDANCE: Theresa Chapman  
Prem Eruvs  
Bryce Kustra  
Chris Young

CALL TO ORDER: 12:35 pm

NEW BUSINESS:

- Kustra/Eruvs move to approve the agenda. (3-0-0)
- Young/Chapman move that Meyer Horowitz is found by the Audit Committee to be in compliance with SU rules and regulations. (4-0-0)

The review of the Meyer Horowitz Profit & Loss statement was fairly mundane, partly because the department was performing above expectations. There were some anomalies in budgeting, notably cost of good sold and admissions, but the incidents were minor and appeared to result from either a brief oversight or the fact that the committee didn't know what was running through the budgeters head at the time.

- The committee once again tackled credit card statements. During the past few meetings we have been frustrated as to how to tackle the Internal PR budget line. While we have found no reason to believe there has been financial abuse, we have had troubles establishing boundaries of appropriateness due to a somewhat ambiguous definition. As such, the committee will begin tracking total Internal PR expenses by staff members in order to establish that they are not abusing this ambiguity.
- Kustra/Young move to adjourn. (3-1-0)

NEXT MEETING: Tuesday, November 24 in SUB 6-06

ADJOURNMENT: 1:30 pm

The Students' Union, The University of Alberta  
**Access Fund Committee**

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02 November 2005 @ 17:33 - SUB 426

**Report to Council (AFC 2005-04)**

First I must apologize for the lateness of my report. Oops.

The fourth meeting of the Access Fund Committee went down on November 2<sup>nd</sup> at 5:30, marking the first meeting during the school year. Omer Yusuf, Jason Tobias, Prem Eruvs, Sylvia Shamanna and Suneil Khanna were in attendance, as well as Jane Lee and Kaelan Maher, the director and associate director of the Access Fund. As always, I'll remind Council that these two individuals are essential for the function of AFC, not to mention that they are also quite awesome individuals.

This meeting dealt with the latest dispersal of the AF, which has been one of the largest ever seen by the AF. Jane and Kaelan feel that this is likely because more people know about the AF, and also people felt that they were 'punished' by applying in the later winter terms last year, where they were prorated and received a reduced bursary. Rather than a form of punishment, this was a case of us running out of money. Hoorah! In any case, we decided to prorate all the applicants by 15%, and pull money from the last dispersal period to stay within the AF budget.

The two policy changes with regard to computer costs and certifications/examination are a result of the AFC belief that we should emulate the policies set by Canada Student Loans.

Because of the increased demand the AF was facing, we speculated some possibilities, such as reducing the amount of money we put into the endowment fund. We then discussed the idea of putting more money in the endowment fund. Finally, we thought about leaving the endowment fund alone, and just collecting the interest. Jason graciously agreed to crunch some numbers and make a few proposals.

Finally, we looked into a new way of prorating individuals according to their needs. Rather than a blanket reduction of 15% across the board for all applicant, we hope to create groups of individuals according to their needs,

and prorate as we see fit (as an example, we would prorate all individuals with a short-fall of \$3000 by 20%, and individuals with \$12,000 by 5%). Because we can only give out \$3000 to an individual per year, we will be addressing high-need students more effectively by giving them a less reduced (larger) bursary of the \$3000 they are eligible for.

Last bit, although we've been given to okay to run AFC with councillors only by the Students' Union, Jane cautioned that there is a lot of politics that behind the operation of the AF and university. Particularly, we feel that that it is important to give the university an opportunity to be informed on the policies we set. As such, we will be inviting a representative from the university to attend meetings as a non-voting. There is a chance that they may take us up on that invitation.

That's really it. Sorry guys, I don't have much more to say.

OMer

The Students' Union, The University of Alberta  
**Access Fund Committee**

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02 November 2005 @ 17:30 - SUB 426

**Order Paper (AFC 2005-04)**

1. Call to Order  
5:33
2. Approval of the Agenda  
Jason/Sylvia
3. Approval of the Minutes  
Omer/Sylvia
4. Business Items
  - i. Updates from Jane and Kaelan
  - ii. Pro-rating all applicants  
- Prorate by 15%.
  - iii. Jane's motions
    - a. Remove the current provisions for computer and replace with "The Access Fund allows computer costs to match the amount allowed by Canada Student Loans"  
Jason/Omer      Unanimous
    - b. Change the provision reading "Under no circumstances will the AF cover the costs of Entrance exams or any preparation course for either certification or entrance exams" to read "The Selection Committee will consider certification or examination costs incurred by students, at their discretion"  
Jason/Omer      Unanimous
  - iv. Longterm budget for AF
    - a. Use of the endowment fund now: pros cons? Should students be paying into a fund that they will not directly benefit from? Time issues? Is this more sustainable. Is the

sustainability worth it?

- b. Prorating in a way where individuals are assessed according to their needs, rather than prorating right across the board. Everyone seems fairly happy with this idea, mostly concerns regarding timing (this year versus next year).
  - Problems with pulling money from Winter2.
  - Try to address the high need individuals
  - Bring up this scheme to the selection committees
  - Try this out for winter1 and winter2.
  
- c. Sheryl as a university rep
  - Inviting a member of the university to attend future AFC meetings as a gesture of good faith between the Students' Union and the university.

- 5. Next Meetings:
  - Wednesday March 15<sup>th</sup>, 2005
  - Wednesday April 5<sup>th</sup>, 2005

- 6. Adjournment
- Prem/Jason
- 6:41



# ACCESS FUND POLICIES

August 31st, 2005

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## 1. Formal Policies Concerning General Operations of the Fund

### a) Access to application information (4/09/96) Revised (06/07/05)

In the interest of preserving applicant confidentiality, and allowing the Selection Committee to make decisions without bias on any grounds, complete applications will be available only to the Associate Director and the interviewer, then filed appropriately. Application summaries will contain ID numbers and relevant budget, family size and program information and will be available to Selection Committee members. If an applicant presents a letter with the application, identifying information will be removed.

### b) Appeals (1/04/96) Revised (06/07/05)

Applicants who wish to appeal the committee decision may do so by first making an appointment to see the Director, Student Financial Aid Information Centre. This appointment will explain the committee's decision in detail and allow the Director to explain other funding options if necessary. If the applicant still chooses to appeal, they must do so in writing to the Access Fund Appeals Selection Committee no later than the deadline posted at SFAIC (not more than two weeks after cheques are issued). The appeals will be brought to the Appeals Selection Committee and the decision of the Committee will be final. Students will be notified by mail or e-mail as to the Committee's decision.

### c) Appointments (1/10/96) Revised (07/08/03)

For application interviews, due to the large number of applicants, applicants more than ten minutes late will need to reschedule their appointments. Applicants who miss an appointment without notification prior to the close of business on the day before their appointment, or without valid excuse will not be allowed to apply until the next application period at the interviewer's discretion.

### d) Deadlines (8/4/99) Revised (06/07/05)

The Associate Director – Access Fund will establish a firm deadline for both Access Fund applications and opt outs before the end of the winter term. This deadline will be advertised for at least two weeks prior to the established deadline.

### e) Funds not granted (1/11/96) Revised (06/07/05)

Any money not granted in a given disbursement period will be carried over to the next disbursement period. At the end of the Access Fund year (August 31), any money not granted will be put into the Access Fund internal reserve.

### f) Old Application Information (03/12/98) Revised (21/11/02)

Hardcopy files that have been inactive for four years will be confidentially disposed of (shredded). Selective files should be retained for archival purposes.

### g) Opt-out money (11/09/96) Revised (02/12/97)

Opt-out money not picked up by the end of the semester for which the student has opted-out will be returned to the bursary fund. This date will be no later than the last business day of the final month of the respective term.

### h) Past History (03/12/98) Revised (21/11/02)

The Access Fund will have access to ALL data provided willingly by the applicant on their application for the current period as well as for previous periods. The Selection Committee will be able to consider all information provided in making a decision on the applicant including such items as award history, and any other data the Access Fund may have from current or previous applications.

**i) Selection committee composition**

(11/09/96) Revised (06/07/05)

The Selection Committee must always be composed of two Access Fund Committee members, as well as the Associate Director as a non-voting member.

**j) Appeals selection committee composition**

(21/11/02) Revised (06/07/05)

The Access Fund Appeals Selection Committee must be composed of at least two students not on the original Selection Committee in addition to the Director of Student Financial Aid Information Centre, as well as the Associate Director as a non-voting member.

**k) Spring/Summer Sessions**

(2/04/96) Revised (06/07/05)

Students' Union Access Fund Bursaries will be available to students in the term in which they are registered so long as they have paid Access Fund fees for that term. As in all cases, students who do not meet the criteria may submit a letter explaining their exceptional circumstances. Students who received the maximum bursary approved by the Access Fund Committee in the previous semesters will not be eligible for additional funding during the spring and summer terms. Students enrolled in one of the spring or summer terms will be allowed a maximum bursary of \$ 1500.00 per spring and summer terms. Access Fund Bursaries will be processed in May and in July.

**l) Statistics/dissemination or exchange of information**

(11/09/96) Revised (06/07/05)

The Director of the Access Fund will respond to requests for information from University, Students' Union and governmental departments. The reason for and purpose of the request will be verified in all cases. Any requests for information that is not public knowledge must be approved through the Vice-President (External) and the Access Fund Committee. The Associate Director will exchange information with Student Financial Aid Information Centre and the University Bursary and Emergency Fund or any other University or government departments in order to verify any information contained on an application, including, but not limited to registration status, GPA, and outstanding amounts owing to the University or governmental agencies the student has indicated an outstanding balance with.

**m) Recall**

(17/04/96) Revised (06/07/05)

During the selection process, the Committee may choose to have the Associate Director recall an applicant to verify information or to provide further details. A one-week period between Selection Committee meeting and ratification by the Access Fund Committee will allow for these recalls.

**n) Conflict of Interest**

(9/11/04) Revised (06/07/05)

No individual who has received an Access Fund bursary during a given council year can sit on the Access Fund Committee in the council year. Access Fund Committee members are ineligible to receive Access Fund bursaries in the current council year during their term of service.

## 2. Formal Policies Concerning the Allocation of Bursaries

### **a) Allocation of Funds for the purpose of bursaries in each application period** (07/08/03)

The funds available each year will be divided between the projected number of granting sessions upon the recommendation of the Access Fund Interviewers. The money available for granting in each year shall be divided into six portions for each competition.

### **b) Appeals (student loans)** (11/12/96) Revised (17/04/96) & (29/11/03)

Applicants who have loan appeals in progress will not be considered for funding unless their appeal has been processed prior to the meeting of the Selection Committee.

### **c) Concerning information on application form/materials required for application**

#### **i. Allowable Income** (08/01/98)

All income sources (CPP, Widow's & Orphan's benefit, GST, etc.) must be disclosed on application form.

#### **ii. Application Form** (07/08/03)

Applicants who have not completed an application form prior to their appointment will be considered to have missed their appointment.

#### **iii. Books Supplies and Instrument Costs** (08/01/98) Revised (21/11/02)

Applicants will be allowed expenses for books, supplies and instruments based on total prices quoted by their faculty for a full course load. Applicants who are not taking a full course load will be allowed the appropriate proportion of this total. Applications more than the maximum quoted by their faculty need to be supported by receipts. ~~Under no circumstances will the Access Fund allow additional expenses for computers or computer-related expense.~~ The Access Fund allows computer costs to match the amount allowed by Canada Student Loans.

#### **iv. Certification/Entrance Exams** (07/08/03)

~~Under no circumstances will the Access Fund cover the costs of Certification or Entrance Exams, or any exam preparation course for either certification or entrance exams.~~ The Selection Committee will consider certification or examination costs incurred by students, at their discretion

#### **v. Credit cards** (17/4/96) Revised (08/09/04)

The Access Fund will allow Minimum Monthly Payments (MMPs) up to a limit of \$40/month providing the student can demonstrate to the interviewer's satisfaction that the debt was used to cover legitimate academic or living costs that have accrued while registered at the University of Alberta. Legitimacy will be determined by the interviewer.

#### **vi. International Students** (07/03/98) Revised (06/01/00)

Applicants who are international students must provide a letter with their application detailing how they had planned on financing their education and living costs and why their original plan is no longer sufficient as well as current bank statements from all accounts in their possession.

#### **vii. Married/Common-law students** (11/12/96) Revised (21/11/02)

The financial information, both income and expenses are to include all family members in the household. The full family shortfall, up to the yearly maximum of \$3000 each will be recommended. If both spouses are U of A students, it is in their best interest to both apply. Separate applications should be filled out, but the financial information should be the same on both applications. Each applicant will be recommended one half of the family shortfall. In cases where loans or appeals are in progress, each applicant will receive one half of their living expenses for one month.

**viii. Medical Costs**

(08/01/98) Revised (06/07/05)

Medical/Dental expenses other than Alberta Health Premiums, University of Alberta Health Insurance Plan and Blue Cross Coverage will require documentation (doctor's note, prescription receipts) as proof for the Selection Committee. The Access Fund will allow Medical/Dental expenses up to a limit of \$500 per individual in the applicant's family per year.

**ix. Parental Contributions**

(07/08/03)

Applicants who are experiencing a shortfall due to a lack of expected parental contributions must submit either a letter from the applicant's parents or guardians confirming that they are unable or unwilling to provide the expected contribution or a letter from a third party, if a parent or guardian is unable or unwilling to provide such documentation.

**x. Required documentation**

(07/08/03)

At the time of their interview, applicants are required to submit a completed application form, their student loan Notice of Assessment, their University of Alberta Tuition and Fees Assessment as issued by the Registrar's Office, their University of Alberta ONEcard, and a copy of a pay stub from each job held in the last twelve months. In addition, applicants who are international students are required to submit copies of their bank statements for at least the previous four months. Applicants who do not provide the required documentation may have their applications considered incomplete and may not be eligible for funding at the discretion of the interviewer.

**xi. RRSPs**

(08/01/98) Revised (21/11/02)

Applicants must report the full value of all RRSPs. A \$2000 RRSP exemption will be allowed for each year out of high school. RRSPs must have been purchased before the commencement of post-secondary studies. For married and common-law applicants, if the applicant and their spouse are both in full-time studies, the total value of the RRSPs will be divided by two.

**xii. Student Lines of Credit or Student Bank Loan payments (interest only)**

(11/12/96) Revised (21/11/02)

The Selection Committee will allow additional expenses for student line of credit or student bank-loan interest payments. Applicants claiming Student Line of Credit interest payments must provide a copy of their most recent account statement.

**xiii. Vehicles**

(21/11/02)

Applicants should enter the full value of all vehicles, which includes leased vehicles and if married or living common-law, the value of the spouse's vehicles. For single applicants, a \$5,000 exemption will be allowed and a \$10,000 exemption will be allowed for married or common-law applicants or applicants with dependants, but the Selection Committee will take anything over that amount into consideration.

**xiv. Leased Vehicles**

(21/11/02)

Applicants with leased vehicles must have taken out the lease on their vehicle prior to the commencement of full-time studies. They must document the amount of monthly payments on the vehicle and provide a copy of the lease agreement including information on the breakability of the lease. The Selection Committee will waive the value of the leased vehicle, providing the above criteria have been met, but the Committee will not take into consideration monthly lease payments above the Access Fund's monthly expense guidelines.

**xv. Allowed Monthly Expenses**

(8/09/04)

Effective September 2004 the Access Fund living allowances will match those in the annual Canada Student Loans budget chart.

**d) Concerning bursary amounts**

- i. Maximum bursary** (26/02/97) Revised (06/07/05)  
The maximum bursary allowed per student is \$3,000.00 per academic year (September 1 - August 31), to be reviewed on an annual basis by the Committee at the August meeting.
- ii. Minimum Bursary** (08/01/98) Revised (07/08/03)  
No bursary under the amount of \$100.00 will be granted by the Access Fund.
- iii. Maximum Lifetime Limit** (06/01/00) Revised (21/11/02)  
The maximum lifetime limit allowed per student is \$6,000.00.
- iv. Maximum Limit for Students in non-degree/designation programs** (29/11/03)  
The maximum bursary granted to a student in a non-degree/designation program is not to exceed the cost of that student's classes.
- v. First and Second Year Students** (07/08/03)  
Applicants in the first or second year of a program who are applying to the Access Fund for reasons other than unexpected emergency expenses will have their bursary pro-rated based on the lifetime maximum allowed under Access Fund guidelines and the number of years remaining in the applicant's program.
- vi. Graduating Students** (06/07/05)  
Students who apply in the term in which they are graduating and who have reached the yearly maximum but not the lifetime maximum may be granted an amount up to the lesser of their assessed financial shortfall or the lifetime maximum, at the discretion of the Selection Committee.
- e) Concerning Eligibility**
- i. Audits** (07/08/03)  
Applicants being audited by the Students' Finance Board must provide the Access Fund with documentation regarding the audit and steps that have been taken to comply with the auditor. An audit may be grounds for denying an applicant funding; however, the Access Fund Selection Committee will make decisions on these applications on a case-by-case basis and take individual circumstances under consideration.
- ii. Concurrently enrolled students** (07/08/03)  
If courses being taken at other institutions are leading towards a degree from the University of Alberta, all living and educational costs will be taken into consideration by the Access Fund. If courses being taken at other institutions are leading towards a degree from another institution, the Access Fund will take into consideration all costs for courses taken through the University of Alberta.
- iii. Defaults** (17/04/96) Revised (26/07/00)&(21/11/02)  
Applicants with previous student loan defaults must provide documentation describing the reasons why this default occurred and steps taken to remedy the situation. Technical defaults will not be held against the applicant. A previous student loan default may be grounds for denying an applicant funding; however, the Access Fund Selection Committee will make decisions on these applications on a case by case basis and take individual circumstances under consideration. In no circumstances will a student with a previous default on an Emergency Student Loan be granted a bursary.
- iv. Differential Fee Faculties** (07/08/03)  
Students in differential fee faculties offering bursaries to students entering certain programs will be required to apply for and be notified of their faculty bursary status prior to submitting an application to the Access Fund.



#### **iv. Student Contribution**

(07/08/03) Revised (06/07/05)

All applicants must have prior to the start of the school year, \$1350 in savings, or must, during the course of the year be contributing at least \$1350 towards their educational expenses through part-time work. This requirement may be waived for the following students:

- (a) Those students studying in one of the following faculties or programs: Dentistry, Medicine or Rehabilitation Medicine;
- (b) Those students with a dependant under the age of twelve (12) where the applicant is the primary care-giver of that dependant;
- (c) Those students with medical circumstances that prevent them from working—including but not limited to: chronic/temporary illness, disability, or recovery from a medical procedure.
- (d) Those students on or returning from a practicum or unpaid work experience at the discretion of the selection committee.

#### **v. Students on exchange**

(07/08/03)

Costs incurred in connection with academic exchanges above the costs that would have been incurred had the applicant not participated in the exchange will not be considered allowable expenses. Under no circumstances will the Access Fund cover debts incurred as the result of exchanges or study abroad experiences.

#### **vi. Students who opted out**

(17/04/96) Revised (03/12/98)&(21/11/02)&(29/11/03)

In all cases, students who opt out will not be eligible for an Access Fund bursary during the year in which they have opted out. This policy will be advertised widely to avoid confusion and misinformation. Students who are assessed for the whole year will be required to pay into the Access Fund for both terms.

### **3. Working Guidelines**

#### **a) International Students**

(no formal policy developed)

International Students in severe financial need early in their program may be denied funding by the Access Fund. This guideline is based on consultation with the International Centre, which related the low probability of such students completing their program, and the fact that international students, prior to coming to study in Canada, must document ability to cover the cost of their program. However, in such cases, the Access Fund Selection Committee may decide to grant a bursary which is pro-rated over the remaining years of the program. This guideline may be waived for students who have high shortfalls due to emergency or unexpected expenses.

#### **b) Students not living at home**

(15/01/98)

Given that the Access Fund is a last resort bursary, the AFB expects student to have done all they can to reduce their expenses. If a student is not living at home to reduce their costs, they must provide a reasonable answer in response to the question of why they do not live at home. In the past, acceptable reasons have been:

- that their parents live out of town (although if the town is accessible by public transportation such as St. Albert and Sherwood Park this answer is not sufficient)
- abusive home environment
- student has child/spouse
- student has several siblings that make it a very difficult environment in which to study
- parents are divorced/separated and student cannot adapt to either one of the new residences

- student is a returning student who has been in the workforce for several years
- parent(s) do not want the child living with them anymore

The Associate Director must use his/her judgement in assessing whether the student could reasonably be expected to live with his/her parents to reduce living expenses. If the AD - AF is unsure of the adequacy of the reason given, he/she should request that the student include a short letter with their application, addressed to the Selection Committee, explaining why they have not chosen to live with their parents in order to reduce costs.

**c) Trips home (passed as policy originally in 1996/1997? reaffirmed January 08, 1998)**

Return trips home are not to be included in an applicant's shortfall as expenses excepting for trips arising out of exceptional circumstances (ex. familial medical emergencies).

**d) Financial Plan**

(29/11/03)

The Selection Committee may choose not to grant a bursary to an application if it believes there is little or no likelihood that the applicant will be able to secure funding to complete their program.

**e) After degree or second-entry students**

(31/08/05)

After-degree or second-entry students who have no previous accumulated debt or no dependents will then be placed in an end of year consideration file at the discretion of the Access Fund Selection Committee.

# **General Information on**

# **Charitable**

# **Gaming Licences**

**Bingo**

**Casino**

**Pull-Ticket**

**Raffle**



Licensing and Charitable Gaming  
Regulatory Division

October 2003



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## A. INTRODUCTION

### The Alberta Gaming and Liquor Commission's Role

The Alberta Gaming and Liquor Commission (AGLC) is responsible for administering gaming activities in Alberta.

This booklet highlights the types of gaming licences that may be issued. **All gaming activities must be licensed: conducting a gaming event without a licence is a Criminal Code offence.** The information in this booklet is for general reference only, and is not intended to replace the *Gaming and Liquor Act*, the *Gaming and Liquor Regulation* or the Alberta Gaming and Liquor Commission policies. Additional information can be found at [www.aglc.gov.ab.ca](http://www.aglc.gov.ab.ca).

The AGLC Regulatory Division is responsible for issuing gaming licences and enforcing the Act, Regulation, Board Policies and conditions. Inspectors may visit gaming events to provide advice and information and to ensure that all requirements are being met and/or conduct investigations.

## B. DEFINITIONS

In these policies and procedures:

1. **“Active delivery of a program or service”** means the volunteer membership of the applicant or a licensed group establish, maintain control of and deliver the group's programs to the community.
2. **“Adult”** means an individual 22 years of age or older.
3. **“Board”** means the Board of the Commission.
4. **“Broad based membership”** means:
  - a) membership is open to the general public;
  - b) membership does not depend on an individual's relationship with a particular individual or individuals;
  - c) membership is representative of the larger community; and
  - d) membership is not restricted by gender, ethnic, racial or cultural background.

5. **“Charitable community benefit”** means a benefit delivered to the community or a significant segment of the community in one of the areas recognized as charitable by the Commission.
6. **“Charitable gaming”** means bingo, casino table games, raffles and pull ticket sales conducted by eligible groups that have been licensed by the Commission.
7. **“Charitable group”** means a non-profit group determined by the Commission to meet licensing eligibility requirements. The Commission is not bound by the definition of “charity” used by other authorities or jurisdictions.
8. **“Charitable or religious purpose”** means a purpose that is recognized as charitable by the Commission and includes the following:
  - a) relief of poverty;
  - b) advancement of education;
  - c) advancement of religion; and
  - d) other purposes beneficial to the community - see section D(4).
9. **“Commission”** means the Alberta Gaming and Liquor Commission (AGLC).
10. **“Community”** for the purpose of conducting gaming events means the Municipality, County, Municipal District, Improvement District or special area in which the licensed charity is located.

**“Community”** for the purpose of determining an eligible **“community benefit”** means a community of persons within a geographic location or a community of persons who share a common interest, for example in the arts, culture, sports, among others.
11. **“External entity”** means any individual, organization or government body other than the applicant group.
12. **“Licence”** means a licence issued by the Commission to a charitable or religious group or the board of a fair or exhibition authorizing the group or board to conduct one or more gaming events.
13. **“Licensee”** means the charitable or religious group or the board of a fair or exhibition holding a valid licence issued by the Commission.
14. **“Procedures”** refer to how compliance with specific policy and standards is determined.
15. **“Proceeds”** means the gross gaming revenue less gaming prizes and expenses.
16. **“Regulatory Division”** means the Regulatory Division of the Commission.

17. **“Significant segment of the community”** means:
  - a) programs and services are reasonably available to all members of the general public who qualify and wish to participate;
  - b) the beneficiaries are not numerically insignificant relative to the community to which the programs and services are provided; and
  - c) membership or participation does not depend on a personal relationship to any particular individual or individuals.
18. **“Standards”** refer to the specific conditions that must be met under a policy.

## **C. APPLICATION FOR LICENCE**

### **Gaming Licences**

Only charities or religious groups are licensed. All proceeds from the licensed activity must be used for charitable or religious activities.

1. To qualify for a charitable gaming licence an organization shall submit to the Commission a complete application for licence on the prescribed form, which is available on the AGLC website at [www.aglc.gov.ab.ca](http://www.aglc.gov.ab.ca).
2. The Commission will review the information provided in the application to determine if the applicant is eligible for a charitable gaming licence. The eligibility of all applicants will be based on the eligibility criteria for organizational structure, program delivery and use of gaming proceeds contained in the policies enclosed in this handbook.
3. If an applicant's eligibility cannot be determined by a review of the information contained in the submitted application, additional information may be requested and/or a Commission Inspector may meet with representatives of the applicant and conduct other inquiries to complete a more detailed eligibility review.
4. The Commission works to review and process all applications for licence within 12 weeks of receipt of a complete application. Processing applications and determining eligibility may take longer if the submitted application information is incomplete or a more detailed eligibility review is required to determine eligibility.
5. Applicants that are not eligible for a charitable gaming licence will be advised by the Commission in writing of the reasons they are not eligible.
6. Applicants that are found eligible for licensing may be subject to a review of their eligibility by the Commission at any time to confirm the organization's continued eligibility for licence.
7. All information provided by applicants and licensees to the Commission must be truthful and accurate.

**D. CHARITABLE & RELIGIOUS GROUPS – BASIC ELIGIBILITY**

A charitable or religious group is eligible for gaming licensing if the group is structured in a manner acceptable to the Board and can prove a record of active delivery of a charitable or religious program to the community.

All applications for gaming licences shall be reviewed by the Regulatory Division to determine their basic eligibility for licensing. The Regulatory Division shall review each application and attached documents to ensure there is sufficient information to determine the eligibility of the group. If more information is required, the Regulatory Division shall contact the group's representative by telephone or in writing and request the required information.

1. To be eligible for gaming licensing, the applicant group must have:
  - a) a broad based volunteer membership which represents the community at large;
  - b) 75% or more of its executive democratically chosen from its volunteer base (a maximum 25% of the group's executive may be appointed by an external entity);
  - c) no paid members, directors or officers. (Note: Some persons in these positions may be paid for other work done for the group, and the group may still be eligible for licence. However, for each paid position, the group must provide the Commission with the position title, position job description, full disclosure of salary and benefits and the source of the funds for salary and benefits);
  - d) programs that benefit a significant segment of the community, not member's self-interest;
  - e) Alberta resident volunteers who establish, maintain control of and deliver the group's programs;
  - f) a not-for-profit objective;
  - g) groups applying for a licence for which licence fees are charged must be incorporated. Acceptable forms of incorporation are:
    - i) Societies Act;
    - ii) Part 9, Companies Act;
    - iii) Part II, Canada Corporations Act;
    - iv) Religious Societies Land Act;
    - v) other Alberta Statutes, approved by the Board, such as:
      - Band Council Resolution for a First Nations Charity operating an event on its reserve land. To operate gaming events off the reserve to which a licence fee applies, a First Nations charity must be incorporated;

- a group governed under the School Act (with the exception of school councils which are not eligible for licensing); or
  - a group established under the Regional Health Authorities Act to enhance hospital care for people in the community.
- vi) Charter from a recognized international governing body (e.g., service club charter).
- h) Applicants who are incorporated under any statute must have by-laws that upon dissolution of the applicant group, require any assets remaining after paying debts and liabilities to be:
- i) disbursed to eligible charitable or religious groups or purposes; or
  - ii) transferred in trust to a municipality until such time as the assets can be transferred from the municipality to a charitable or religious group or purpose approved by the Board of the Commission.
2. The applicant group must be able to prove a record of active delivery of its charitable or religious programs or services to the community. For casino applicants, an active record of program delivery for the previous 24 months is required. In locations where there is no casino waiting list, casino licences will be considered after 12 months of proven program delivery. For bingo applicants and applicants for a raffle with a total ticket value more than \$100,000.00, an active record of program delivery for the previous 12 months is required.
3. The applicant group must provide a written declaration or statement of the charitable community benefit provided by the programs or services the group delivers. The declaration shall identify:
- a) the type of programs or services delivered by the group;
  - b) the date(s) and approximate time(s) of program or service delivery;
  - c) the premises from which the program or service delivery is made;
  - d) the number of persons participating in the programs or receiving services and the fee structure charged (the names, addresses and phone numbers of program participants and/or recipients of services may be required);
  - e) the number of persons who may potentially benefit from the programs or services offered by the group;
  - f) a list of programs or services that are restricted to members and those which are open to the general public;
  - g) the percentage of participants or recipients of the group's programs or services who are group members and percentage who are members of the public;

- h) an explanation as to why the group's programs or services is important to the community; and
  - i) a description of how the group's programs or services are distinct or unique from any other similar programs or services already provided in the community.
4. A charitable community benefit is provided when a service or program is delivered to a significant segment of the community in one of the following areas:
- a) Relief of the aged or disadvantaged:
    - i) relief to the poor;
    - ii) programs for the elderly so they can stay active in society; or
    - iii) social services and educational programs for the emotionally or physically distressed.
  - b) Advancing education and learning by providing:
    - i) student scholarships;
    - ii) aid to schools;
    - iii) aid to libraries;
    - iv) aid to museums;
    - v) aid to the arts; or
    - vi) aid to the preservation of cultural heritage.
  - c) Provide help to the community which:
    - i) make improvements to the quality of health;
    - ii) support medical research;
    - iii) aid medical treatment programs;
    - iv) supply a facility for the community's use;
    - v) support eligible amateur sports; or
    - vi) contribute places for worship and other religious programs.
5. The group's proposed use of gaming proceeds must be in accordance with the Board's use of gaming proceeds policy (refer to section E).

6. Groups engaged in any commercial activity which generates income for the personal gain of the group's membership or others are ineligible for gaming licensing.
7. Groups that charge fees for their programs or services for the purpose of generating a profit rather than on a cost-recovery basis are ineligible for gaming licensing.
8. Groups whose application for licensing is under review by the Commission or groups already licensed by the Commission shall immediately advise the Commission in writing of any changes to:
  - a) The group's organizational structure as defined in section D(1);
  - b) The group's objectives or purpose;
  - c) The type of programs or services delivered by the group, including changes to:
    - i) the intended recipients, participants or beneficiaries of its programs or services;
    - ii) the date and time of program and/or service delivery;
    - iii) the premises from which the program and/or service delivery is made; and
    - iv) for groups who operate a public facility, changes to the access policy or procedures to the facility for group members or for members of the public.
9. Groups delivering programs or services within the boundary of Edmonton must conduct bingo and casinos within that city. Groups delivering programs outside of Edmonton may not access bingo or casinos within that city.
10. Provincial groups are eligible to conduct gaming events in any community in the province subject to compliance with the Board's Related Groups – Eligibility policy. To establish "provincial group status" for gaming licences, groups must establish with the Commission that:
  - a) the registered charitable objectives of the group have a provincial focus;
  - b) the by-laws of the group provide for the establishment of offices in other Alberta communities;
  - c) the executive and membership lists of the group indicate that membership is drawn from communities throughout Alberta; and
  - d) the group has a record of program or service delivery and plans to continue to deliver its programs or services to communities throughout Alberta.



11. Groups whose structure, programs or services are not identified as being eligible for a gaming licence as specified in the eligibility policies are not eligible for licensing.
12. The terms “charity” and “charitable purpose” as identified in these policies are defined by the Commission solely for the purposes of issuing gaming licences. The Commission is not bound by the definition of “charity” or “charitable purpose” used by other authorities or jurisdictions.
13. The interpretation of the eligibility policies rests with the Commission.

**E. GENERAL – USE OF GAMING REVENUE**

Gaming revenue shall only be spent on approved prizes, approved expenses and on charitable or religious purposes approved by the Commission.

1. Gaming proceeds shall only be used for Commission-approved objects which are essential to the delivery of the group’s charitable or religious programs.
2. Gaming proceeds shall be used to support the group’s overall objectives, programs and services as approved; and not solely to provide benefits to specific or select members of the group.
3. Disbursements of gaming proceeds shall be made within 24 months of receipt of the funds. Any extension of this period must have prior written approval of the Commission. All requests for an extension of this time period must include a supporting business plan.
4. A use of proceeds not specifically accommodated in the Use of Proceeds policies is considered an ineligible use of proceeds.
5. The Regulatory Division, Licensing Support Section, shall review the group’s proposed use of proceeds and approve those which comply with above policy, above standards, terms and conditions of licence and Board policies.
6. The Regulatory Division, Financial Review Section, shall review the group’s gaming financial report to ensure all disbursements of gaming proceeds have been approved and comply with above policy, above standards, terms and conditions of licence and Board policies.
7. The Financial Review Section shall ensure the disbursement of gaming proceeds are made within 24 months of receipt of the funds.

## F. SUBMITTING APPLICATIONS

All application forms must be complete and the information must be accurate and current. This will minimize delays in processing requests. Licensing application forms are as follows:

- BINGO Form #LIC/GAM 5421
- PULL-TICKET Form #LIC/GAM 5429
- RAFFLE (total ticket value more than \$10,000) Form #LIC/GAM 5428
- CASINO Form #LIC/GAM 5420

Applications are available on the AGLC website at [www.aglc.gov.ab.ca](http://www.aglc.gov.ab.ca)

## G. TYPES OF GAMING LICENCES

Each licence type has its specific terms and conditions and in some cases, operating guidelines which are outlined on the gaming licence application. A brief summary of each is given below.

### i) Bingo

1. Only Edmonton groups may conduct bingo in that city. Calgary groups and groups in Municipal Districts 31 and 44 may conduct bingo in Calgary. In other areas, approval may be given for groups to hold bingo in other communities.
2. Licences are issued for single events or a series of events over a two-year period.
3. Bingo associations are required when bingo is conducted more than three days per week in a specific hall. A bingo association information package is available and an association hall must be licensed as a bingo facility.
4. Satellite bingo games may only be held as part of an approved bingo program.
5. Gross revenue shall be disbursed as follows: Prizes to a maximum of 65% and expenses to a maximum of 10%. Expenses do not include hall rental. Groups cannot charge rent for their own hall.
6. Total prize payouts shall be less than \$15,000 per event. A satellite bingo game is a separate game over and above the regular \$15,000 maximum.
7. For games with separate card sales, the prize shall not exceed 60% of sales. There shall be no minimum or guaranteed prize for these games, other than at a special event or for a playoff game where there is no charge. Exception: Bingos held outside of bingo associations can offer a progressive or accumulating jackpot with a minimum or guaranteed prize. Groups must keep prize payouts for these games in line to ensure they receive a financial benefit.

8. Callers, cashiers and satellite bingo controller may be hired staff. Bingo associations may hire additional staff to provide certain coordinating services. All hired staff must be registered with the AGLC in accordance with the *Gaming and Liquor Act* and Regulations.
9. **Volunteer bingo workers shall not be paid for their services.** Only members of the licensed group, as defined in their bylaws, shall work as volunteer bingo workers. In the case of bingo associations, only these volunteers shall work in the positions of bingo chairperson, bonanza and/or special games controller, paymaster, cashier and satellite game controller (when performed by a volunteer), or any other position requiring access to the cashier's cage area. **As an option only**, the licensed group may use outside help (non-members) to fill other positions as required; these individual(s) should be known to the licensee. Groups may continue to use only their own members in all positions. Groups whose members are disabled may accept outside volunteer help for all positions. This is intended to allow licensees more flexibility in raising funds to support their approved charitable objectives. It is not intended to provide opportunities for groups who are not licensed to work a bingo event in return for a donation.
10. Groups who are members of bingo associations are required to pool net bingo proceeds.
11. Licence fees are required.
12. Groups not currently accessing association bingo events may be eligible for Bingo Central Registry; a waiting list maintained by the AGLC.

ii) **Casino**

1. Only Edmonton and Calgary groups may conduct casino events in these two cities.
2. Only approved games will be authorized. A list of games and their rules is available.
3. Normally, a casino licence is for a two-day event.
4. Where a waiting list is maintained, groups are given casino dates by random draw.
5. Pooling net casino proceeds is mandatory. The pool period is the same as the casino draw period, quarterly. The casino event licence fees are disbursed from the pool.
6. Facility and service agreement with casino facility licensee must identify the fixed fees or charges for the facility and services provided to the licensed charity. Fees/charges shall not exceed:
  - 50% of net casino proceeds for Calgary and Edmonton casinos;
  - 65% of net casino proceeds for St. Albert casinos;
  - 75% of net casino proceeds for casinos outside Calgary and Edmonton.

7. A group is eligible for only one casino licence at a time. Groups affiliated with a charity are considered related to the charity, and only one of either the principal group or an affiliate may be licensed for a casino at a time.
8. Volunteers shall fill the following positions: General Manager and Alternate, Banker, Cashier, Count Room Supervisor, Chip Runner and Count Room Staff. All volunteers shall be members of the licensed group as defined in their bylaws, except for the Chip Runner and Count Room Staff positions. Depending on the number of games, between 15 and 25 volunteers are needed.
9. A group's paid staff may work provided they are members of the group as defined in their bylaws. They must volunteer their time outside normal working hours and they cannot be: General Manager or Alternate, Banker and Count Room Supervisor.
10. Only registered gaming workers and advisors may be paid for their services.

**iii) Pull-Ticket**

1. Licences are only issued for a series of dates. The maximum term of a pull-ticket licence is two years.
2. Pull-ticket sales are normally restricted to a group's own premises (owned or rented) and only in the area specified on the licence. Tickets can be sold only at events operated by the licensed group. The premises is where the group holds its events or delivers its programs to the community.
3. Up to 10% of the net revenue may be used for the administrative costs of pull-ticket sales. (Net revenue = gross proceeds less prize and unit costs.)
4. All pull-tickets sold in Alberta must be approved by the AGLC.
5. Licence fees are required.

**iv) Raffle (Total Ticket Value More Than \$10,000)**

1. Prizes must be listed on the application. All prizes, authorized under the licence, must be awarded.
2. Retail value of all prizes shall be at least 20% of the total ticket value. For plate dinners or similar schemes, prizes shall not exceed 40% of the total ticket value. Expenses cannot exceed 30%.
3. When the retail value of a merchandise prize exceeds \$5,000, independent confirmation of the prize value must be provided. For example, a quote from the supplier. If the prize is used merchandise, two independent evaluations prepared by recognized or licensed appraisers must accompany the application.

4. Other charities or religious groups may be paid a commission to sell tickets. They shall use the funds only for approved purposes. No other person or group may be paid to sell tickets.
5. Raffle tickets can be sold for cash, certified cheque, money order or credit card voucher and deposited into a separate raffle bank account. These shall be made payable to the licensed group. If accepting non-certified cheques, the ticket stub cannot be included in any draws until the cheque clears the bank.
6. Tickets cannot be sold or advertised outside Alberta.
7. Discount tickets are sold in groups (e.g., 3 for \$1), and shall be a different colour than regular tickets.
8. No raffle revenue may be spent until funds are available to pay for the prizes. This includes both raffle expenses and approved use of proceeds.
9. Only direct expenses required to operate the raffle may be deducted from raffle revenue. Up to 5% of the gross revenue may be used for the indirect expenses of the raffle. This amount can be deposited in the licensee's general account. Groups may hire a registered raffle ticket manager. A copy of the contract must be provided to the AGLC.
10. Separate guidelines for sports drafts are available.
11. Licence fees are required.

**v) Raffle (Total Ticket Value \$10,000 And Less)**

1. Raffle licences, total ticket value \$10,000 and less, are only available at local Registry Agents.
2. Groups applying for a raffle licence (total ticket value \$10,000 and less) must be a charity or religious group. A listing of approved charities is provided to the Registry Agent. If a group is not on the list, it must be reviewed and approved by the AGLC before receiving a licence. A separate eligibility form is available for this purpose.
3. Groups are not required to open a separate bank account, but must complete the Financial Section of the Licence and return it to the AGLC 60 days after the final draw date.
4. Registry Agents are allowed to set reasonable market rates for their services to cover administrative costs.

**vi) Raffle (Criminal Code Section 207(1)(d))**

A non-profit group which does not qualify as a charity may be eligible for a small raffle. *Section 207(1)(d) of the Criminal Code* allows:

*“any person, pursuant to a licence issued by the Lieutenant Governor in Council or a province, or by such other person or authority in the province as may be specified by the Lieutenant Governor in Council thereof, to conduct and manage a lottery scheme at a public place of amusement in that province if*

- 1. the amount or value of each prize awarded does not exceed five hundred dollars, and*
- 2. the money or other valuable consideration paid to secure a chance to win a prize does not exceed two dollars.”*

In Alberta, a non-profit group may be licensed for a raffle under this section, as follows:

- the total ticket value is \$5,000 or less;
- the ticket price cannot exceed \$2;
- retail value of a prize does not exceed \$500;
- the value of all prizes must be at least 20% of the total ticket value; and
- ticket sales and draw must occur at a place of public amusement. This is defined as a building, hall, pavilion, place, premises, room, tent or structure where an amusement takes place.

Groups are not required to be incorporated, but must be non-profit and have an elected executive. All raffle proceeds must be spent according to the AGLC's Policies.

**H. FINANCIAL ACCOUNTABILITY AND REPORTING**

Financial reports are required for each gaming licence (bingo, casino, pull-ticket, raffle) issued. Financial reports are mailed to the licensed group every 12 months or at the expiration of the licence.

Completed reports with supporting documents, shall be returned to the AGLC within sixty (60) days. **Failure to submit these reports or to comply with the terms and conditions of the licence may affect future licences.**

Separate bank accounts for each licence shall be established.

- The account shall have chequing privileges, and monthly return of paid cheques.
- Gaming revenue shall be deposited into this account and all payments are made by cheque.
- Proceeds shall remain in this account until spent on approved uses. If not required immediately, proceeds may be put into a separate interest-bearing account, or be used to buy short-term deposit certificates. All interest becomes part of gaming revenue and must be reported on financial reports.
- If a group has more than one active licence, they are encouraged to open a “Consolidated Gaming Account” for the expenditure of their gaming proceeds. The group will transfer

these proceeds from their individual gaming accounts into this account. The benefits of this account are:

- cheques for approved use of proceeds are issued from one account; and
  - easier tracking of proceeds available for distribution.
- All licence records shall be kept for two years after the date the licence expires. AGLC Inspectors shall be allowed access to all areas of a gaming premises. They may examine and make copies of all documents, records, equipment and video tapes at their discretion and may remove these as necessary. This includes documents or records kept at any other location or financial institution.

**I. CONTACTING THE COMMISSION**

Written communication may be addressed to the respective local office of the Commission:

<b>REGULATORY DIVISION OFFICES</b>		
<b>Head Office</b> 50 Corriveau Avenue St. Albert, Alberta T8N 3T5 Ph: (780) 447-8600 Fax: (780) 447-8911 Toll-Free: 1-800-272-8876 Rite Line: 310-0000	<b>Calgary Office</b> 110, 6715 - 8 Street NE Calgary, Alberta T2E 7H7 Ph: (403) 292-7300 Fax: (403) 292-7302	<b>Red Deer Office</b> J5 Business Centre 13-7895 - 49 Avenue Red Deer, Alberta T4P 2B4 Ph: (403) 314-2656 Fax: (403) 314-2660
<b>Lethbridge Office</b> 3103 - 12 Avenue North Lethbridge, Alberta T1H 5P7 Ph: (403) 331-6500 Fax: (403) 331-6506	<b>Grande Prairie Office</b> 10020 - 124 Avenue Grande Prairie, Alberta T8V 5L7 Ph: (780) 832-3000 Fax: (780) 832-3006	

The website address of the Commission is: [www.aglc.gov.ab.ca](http://www.aglc.gov.ab.ca).

The licensee shall report to the Commission any irregularities, theft, fraud, cheating at play or violations of policy in the conduct of their licensed gaming event and in the use of gaming proceeds.

**Part 2**  
**Gaming and Provincial Lotteries**  
**Licences**  
**Gaming licences**

**19** The following classes of gaming licence are established:

- (a) bingo licence: authorizes a bingo event;
- (b) pull ticket licence: authorizes a lottery scheme in which an individual opens a ticket to determine if a prize has been won;
- (c) raffle licence: authorizes a lottery scheme in which tickets or prize bonds are sold for a chance to win a prize;
- (d) casino licence: authorizes a casino.

AR 143/96 s19;87/99;131/2002

**Eligibility of gaming licence applicants**

**20(1)** An applicant for a gaming licence that authorizes a gaming activity under section 207(1)(b) or (f) of the *Criminal Code* (Canada)

- (a) must be a charitable or religious organization, and
- (b) must satisfy the board that the proceeds from the gaming activity will be used for a charitable or religious object or purpose approved by the board.

**(2)** An applicant for a gaming licence that authorizes a gaming activity under section 207(1)(d) of the *Criminal Code* (Canada) must satisfy the board that the proceeds from the gaming activity will be used for a charitable or religious object or purpose approved by the board.

AR 143/96 s20;131/2002